

### REMARKS

Claims 21-32 are pending in the present application. By this amendment, previous claims 1-20 are canceled without prejudice and new claims 21-32 are added. Support for the newly added claims may be found, for example, at least in paragraphs 0044-0056 and Figs. 4-6 of the present application. No new matter has been added. The Applicants respectfully submit that newly added claims 21-32 are allowable over the cited prior art of record based on the following reasons.

Before commenting on the allowability of the newly added claims, the Applicants point out that claims 1-20 were rejected under 35 U.S.C. §102(e) as anticipated by Stewart et al. (U.S. Patent No. 6,259,405). The rejection of these claims, however, is moot in light of their cancellation. Nonetheless, the Applicants submit that the newly added claims 21-32 are allowable over this cited reference and the other prior art of record as follows.

Independent claim 21, features, among other things, “a plurality of context-determinative devices each having a short range wireless signal transceiver” that “broadcast information about the devices by a short range wireless signals.” The claim also features “at least one subscriber unit configured to detect the short range wireless signals” and “issue wireless control signals to at least one of the plurality of context-determinative devices.” The cited prior art of record, such as Stewart et al., for example, does not appear to teach or suggest these claim features.

In particular, the system of Stewart merely teaches a network 130 connected to wireless access points 120 that may be accessed by a portable computing device 110A to obtain identification information and geographic location of the access point 120, and also to afford connection to a service provider 140 through the network 130 (see Fig. 1a, for example). Stewart, however, does not teach or suggest issuance of control signals from the portable

commuting device 110A of Stewart to context-determinative devices. The system of Stewart, for example, is only directed to accessing a network and does not teach or suggest control of a context-determinative device by another device in wireless communication with it. The other prior art of record also lacks such a system. Accordingly, claim 21 is believed to be novel and unobvious in light of the prior art of record. Additionally, dependent claims 22-24 are allowable on their merits for at least the same reasons as claim 21.

Concerning newly added claims 25-28, these claims include features similar to those in claims 21-24 and are submitted to be allowable for at least the same reasons presented above with respect to claims 21-24.

With respect to claim 29, the prior art of record does not teach or suggest the features of this claim. In particular, claim 29 features a wireless device that obtains context-determinative information from at least one context-determinative device having a short range wireless signal transceiver where the wireless device includes "a processing unit configured to log contextual information about the context-determinative device derived from the detected short range wireless signals and forward the logged contextual information to a data repository via [a] long range transmitter," the long range transmitter also in the wireless device. The cited prior art such as Stewart, for example, merely teaches wireless access to a network via a local wireless access point. The teaching of Stewart, in particular, does not include or suggest, among other things, short range determination of contextual information that is forwarded to a data repository with a long range transmitter as featured in claim 29. For example, Applicants' system can, among other things, afford more sophisticated analysis of the contextual data such as tracking of a subscriber unit through different environments with the logged data to allow a third party service provider to send information to the subscriber pertinent to the various environments. The prior

art does not teach such functionality. Accordingly, the Applicants submit that this claim is allowable over the prior art of record. Claim 30, which depends from claim 29, is also allowable on its merits at least for the same reasons as claim 29.

Method claims 31 and 32 include features similar to those in claims 29 and 30 and are submitted to be allowable for at least the same reasons presented above with respect to these claims.

In light of the foregoing comments, the Applicants submit that the presently pending claims are in condition for allowance. The Examiner is invited to contact the attorney listed below if the Examiner believes that a telephone conference would advance the prosecution of this application.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By: 

Patrick Law

Registration No. 41,549

Date: November 22, 2004

VEDDER, PRICE, KAUFMAN &  
KAMMHOLZ, P.C.  
222 N. LaSalle Street  
Chicago, IL 60601  
(312) 609-7500  
FAX: (312) 609-5005